

educational, philanthropic, humane, patriotic, social service, civic, fraternal, police, fire, labor or religious organization which is not operated for profit.

Retail establishments engaged principally in the preparation and/or sale of bakery products and pharmacies shall be licensed prior to the sale thereof in accordance with this section, provided however, that the time and one-half and voluntary work provisions shall not apply.

Retail establishments engaged in the sale of bait and recreational fishing products shall be licensed prior to the sale thereof in accordance with this section, provided, however, that the hours of operation on Sundays and holidays shall be between the hours of 5:00 a.m. and 8:00 p.m. or any portion thereof. (G.L.5-23-2)

Inspection of Records

Examiners of the Division of Labor Standards are authorized to investigate and ascertain the wages of persons employed in any occupation in this state; to enter and inspect the place of business or employment of employer in the state for the purpose of examining and inspecting any and all books, registers, payrolls, and other records of such employer that in any way relate to or have a bearing on the question of wages, hours, and other conditions of employment of any employees, and may question such employees for the purpose of ascertaining whether the provisions of the Minimum Wage Law and the orders and regulations issued thereunder have been and are being complied with.

Gratuities (Tips) and Gratuity Allowance

Gratuities shall mean voluntary monetary compensation received by the employee for services rendered.

An employee working in an occupation where it is customary to receive gratuities must be paid the stated minimum rates. However, in any week when the wages for such an employee are computed the employer may credit tips so received as part of the wages under the following conditions:

The amount of gratuities credited may not exceed 50% of the applicable minimum wage. From time to time the mandated employer's minimum contribution toward service employee's wages may exceed the amount required by the provisions of the Fair Labor Standards Act. Where there is coverage under both state and federal law the higher or more restrictive standard takes precedence.

Minimum Wage		Minimum Share	Maximum Tip Credit
9/1/00	\$6.15	\$2.89	\$3.26
1/1/04	\$6.75	\$3.17	\$3.58

The employer must have received and kept as part of permanent payroll records for that week a statement signed by the employee certifying the amount of gratuities, as credited, has been received.

Effective 7/1/99, gratuity allowance may be taken for buspersons in the same manner as waitstaff. The Director of Labor and Training will accept the following statement, when filled out and signed by the worker, as substantial evidence that the amount of gratuities claimed by the employer as part of the minimum wage was received by the employee. N.B.: The worker must fill in the amount of tips and sign. (File with payroll records)

The week of _____, I received \$_____ in gratuities

(tips) for _____ MONTH/DAY YEAR AMOUNT
_____ hours worked as an employee of _____
TOTAL HOURS EMPLOYER'S NAME

EMPLOYEE'S SIGNATURE

Workers signing for gratuities to be deducted from the minimum wage are entitled to a hearing in the Division of Labor Standards, if they so desire. (G.L.28-12-5)